

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 06033**, from
AG Agricultural District to R-3 Residential
District, requested by Lincoln Federal Bancorp,
on property generally located at South 27th Street
and Whispering Wind Boulevard.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/07/06
Administrative Action: 06/07/06

STAFF RECOMMENDATION: Approval

RECOMMENDATION: Approval (9-0: Larson,
Carroll, Esseks, Krieser, Strand, Cornelius,
Taylor, Sunderman and Carlson voting 'yes').

FINDINGS OF FACT:

1. This change of zone request to R-3 was heard before the Planning Commission in conjunction with the associated Wilderness Hills 1st Addition Preliminary Plat No. 06004, to develop 1800 residential units on approximately 428 acres in phases. This change of zone request and an associated final plat provide for the development of 109 residential lots and 4 outlots on a 45.9 acre portion of the preliminary plat.
2. The staff recommendation to approve the change of zone request is based upon the "*Analysis*" as set forth on p.3-4, concluding that the proposed change of zone is in conformance with the Comprehensive Plan.
3. The minutes of the public hearing before the Planning Commission are found on p.5-6. The applicant withdrew the original requests to waive the block depth-to-width ratio on the associated preliminary plat to which the staff had recommended denial (See Minutes, p.5-6).
4. There was no testimony in opposition.
5. On June 7, 2006, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval of this change of zone request.
6. On June 7, 2006, the Planning Commission also voted 9-0 to adopt Resolution No. PC-01001, approving the associated Wilderness Hills 1st Addition Preliminary Plat No. 06004, with conditions.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 12, 2006

REVIEWED BY: _____

DATE: June 12, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.06033

for June 7, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 06033

PROPOSAL: From AG Agricultural to R-3 Residential

LOCATION: S. 27th Street and Whispering Wind Boulevard

LAND AREA: 45.9 acres

CONCLUSION: A final plat for 113 lots in association with this change of zone. Both this change of zone and the final plat are consistent with the Wilderness Hills 1st Addition Preliminary Plat #06004. This request complies with the Comprehensive Plan and is appropriate for this location.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION:

A tract of land composed of a portion of Lot 49 I.T., all of Lot 2 King's Addition, and a portion of the SE1/4 of the SW1/4 all located in the SW 1/4 of 30-9-7 of the 6th P.M., City of Lincoln, Lancaster County, Nebraska, more particularly described in the legal description attached.

EXISTING LAND USE:

Undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Developing Residential	R-3
South:	Residential/Undeveloped	AG
East:	Undeveloped	AG
West:	Residential	R-3

ASSOCIATED APPLICATIONS:

PP#06004 Wilderness Hills 1st Addition. This change of zone is applicable to a small portion of the preliminary plat and is submitted for review concurrently.

FPPL#06042 Wilderness Hills 1st Addition. A final plat that covers the same area as this change of zone application submitted for concurrent review, however it can not be approved until PP#06004 is approved by Planning Commission.

HISTORY:

May 11, 2006 PP#06004 Wilderness Hills 1st Addition submitted to Planning Department.

May 9, 2006 CZ#06033 Wilderness Hills, 1st Addition submitted to Planning Department.

May 9, 2006 FPPL#06042 Wilderness Hills 1st Addition submitted to Planning Department.

April 17, 2006 AN#05016 was approved by City Council with Ordinance #18711 resulting in the annexation of this area into the City of Lincoln.

COMPREHENSIVE PLAN SPECIFICATIONS:

- F-25** The 2025 Lincoln City/Lancaster County Comprehensive Plan designates this area as Urban Residential land use.
- F-27** **Urban Residential:** Multifamily and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre.
- F-17** Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.
- F-31** This site is within Tier 1, Priority Area A. That area within Priority Area A is designated to receive city services within the next 12 years.

TRAFFIC ANALYSIS:

This site is planned as an initial phase of the Wilderness Hills 1st Addition preliminary plat. This area will have full access to S. 27th Street via Stonybrook Drive and Whispering Wind Boulevard. According to the associated preliminary plat, eventually this area will have an additional access to Rokeby Road via S. 29th Street and will have numerous additional routes connecting it to the remainder of the planned neighborhood to the east and north.

PUBLIC SERVICE:

The Lincoln Fire Department indicated that they find the application acceptable, but noted that limited facilities in the area may cause greater response times as development continues.

ANALYSIS:

1. This is a request for a change of zone from AG Agricultural to R-3 Residential for an area approximately 45.9 acres in size on land generally located on the east side of S. 27th Street between Whispering Wind Boulevard and Rokeby Road.
2. Associated with this request, the applicant has submitted a final plat for this area consisting of 109 residential lots and 4 outlots.
3. This area is shown within the boundary of Preliminary Plat #06004 currently under review, scheduled for consideration by the Planning Commission on the same agenda as this project. This change of zone will permit residential uses and the accompanying final plat provides a lot and street layout in agreement with the preliminary plat.
4. This area was previously annexed into the City of Lincoln when AN#05016 for Southwood Lutheran Church was approved.
5. Public Works & Utilities has no objections to this change of zone provided that the preliminary plat review does not identify problems related to this request. Provided the preliminary plat is approved, this request is appropriate and is consistent with the plat and the Comprehensive Plan.

6. This request is consistent with the Future Land Use Plan which designates this area as Urban Residential.

Prepared by:

Joe Rexwinkle Planner
441-6373 (jrexwinkle@lincoln.ne.gov)

DATE: May 25, 2006

APPLICANT: Engineering Design Consultants
2200 Fletcher Avenue
Lincoln, NE 68504

OWNER: Lincoln Federal Bankcorp, Inc.
1101 N Street
Lincoln, NE 68508

CONTACT: Brandon Garrett
2200 Fletcher Avenue
Suite 102
Lincoln, NE 68508

**CHANGE OF ZONE NO. 06033
and
PRELIMINARY PLAT NO. 06004,
WILDERNESS HILLS 1ST ADDITION**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 7, 2006

Members present: Strand, Taylor, Larson, Carroll, Esseks, Cornelius, Krieser, Sunderman and Carlson.

Ex Parte Communications: None.

Staff presentation: **Joe Rexwinkle** of Planning staff made the presentation of this change of zone and preliminary plat. The change of zone is for the southwest portion of the area of the preliminary plat. The plat itself consists of about 428 acres. The change of zone is from AG to R-3, and the remainder of the plat would be annexed into the city and rezoned at a later date.

The staff is supporting the requested waivers, except the depth-to-width ratio for Lots 35-36, Block 44, Lot 2, Block 47 and Lots 13-18 and 42-43, Block 49. The staff believes that those lots can be redrawn relatively easily to meet the requirements of the subdivision ordinance. He believes that the applicant will be withdrawing these waiver requests.

Rexwinkle stated that both the change of zone and preliminary plat conform with the goals and objectives of the Comprehensive Plan.

Proponents

1. Brandon Garrett of EDC, appeared on behalf of the applicant, **Lincoln Federal Bancorp**. This plat is a 428-acre site with roughly over 1800 residential units proposed. The land will remain zoned AG, except for the 64-acre portion which will be in the first phase which will change to R-3. Included with this development is an 80-acre conservation easement for flood control, green space and preservation of the wetlands. The site includes a mixture of housing types, a well-connected street network, a system of bike trails, a public school and a public park. Garrett withdrew the waiver requests to which the staff has recommended denial, and agreed with the conditions of approval. The withdrawal of the waivers to which staff recommended denial negates the need for Condition #2.1 because the applicant will comply with Condition #1.11.

Carlson inquired about the school site. Garrett explained that LPS has indicated that they would like it to be an elementary school. Carlson then inquired about the traffic motions and drop-off and pick-up locations. Garrett suggested that it will be a decision of LPS, but there is a boulevard system with Wilderness Hills Boulevard, which continues through to South 40th and all the way to South 27th. The drop-off point would be along the east side of the school site, which he believes LPS has indicated would provide good circulation. There are pedestrian easements

on the west side of the school site. There is an access point through the block “at this point to this street” for pedestrian access (pointing to the map). Carlson is hopeful that this will be taken into consideration as this phases forward.

There was no testimony in opposition.

Staff questions

Rexwinkle clarified that the staff did meet with LPS about the school site and circulation. LPS has indicated that they would likely design it to have a drop-off site coming in off the boulevard, and that is one of the reasons the staff has requested the mid-block access point be eliminated so that there is no interference. Staff has also requested that White Pine Drive and Forest Avenue connect straight through to provide better vehicular circulation and more direct pedestrian route. We would rather the children use the sidewalk along the street and cross.

There was no further testimony by the applicant.

CHANGE OF ZONE NO. 06033

ACTION BY PLANNING COMMISSION:

June 7, 2006

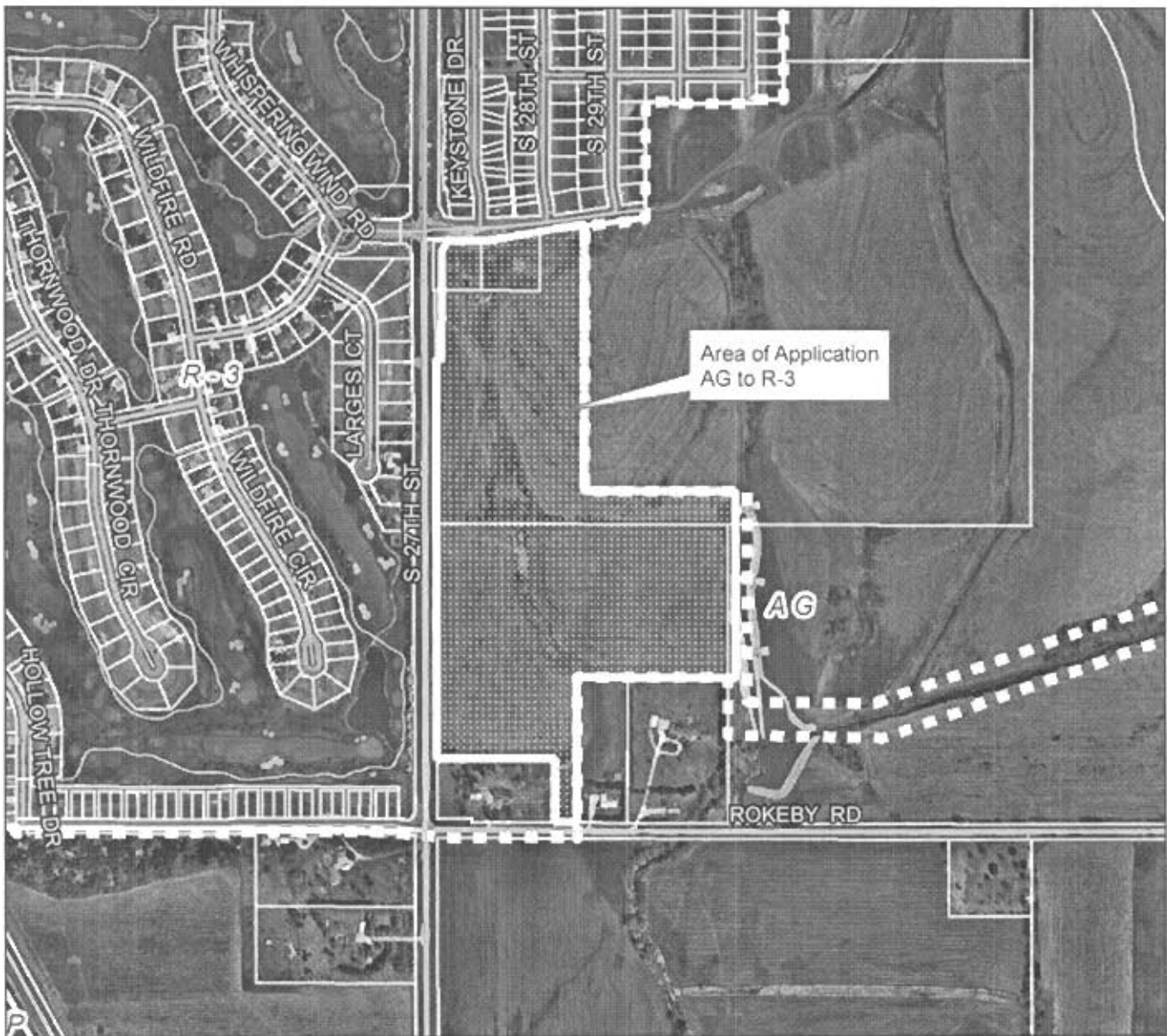
Carroll moved approval, seconded by Sunderman and carried 9-0: Strand, Taylor, Larson, Carroll, Esseks, Cornelius, Krieser, Sunderman and Carlson voting ‘yes’. This is a recommendation to the City Council.

PRELIMINARY PLAT NO. 06004

ACTION BY PLANNING COMMISSION:

June 7, 2006

Carroll moved to approve the staff recommendation of conditional approval, seconded by Sunderman and carried 9-0: Strand, Taylor, Larson, Carroll, Esseks, Cornelius, Krieser, Sunderman and Carlson voting ‘yes’. The withdrawal of the stated waiver requests deletes Condition #2.1. This is final action, unless appealed to the City Council within 14 days.



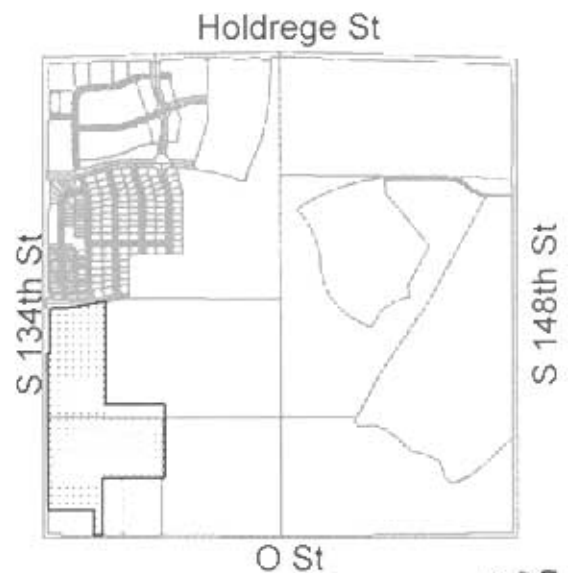
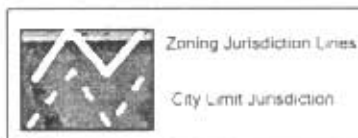
2005 aerial

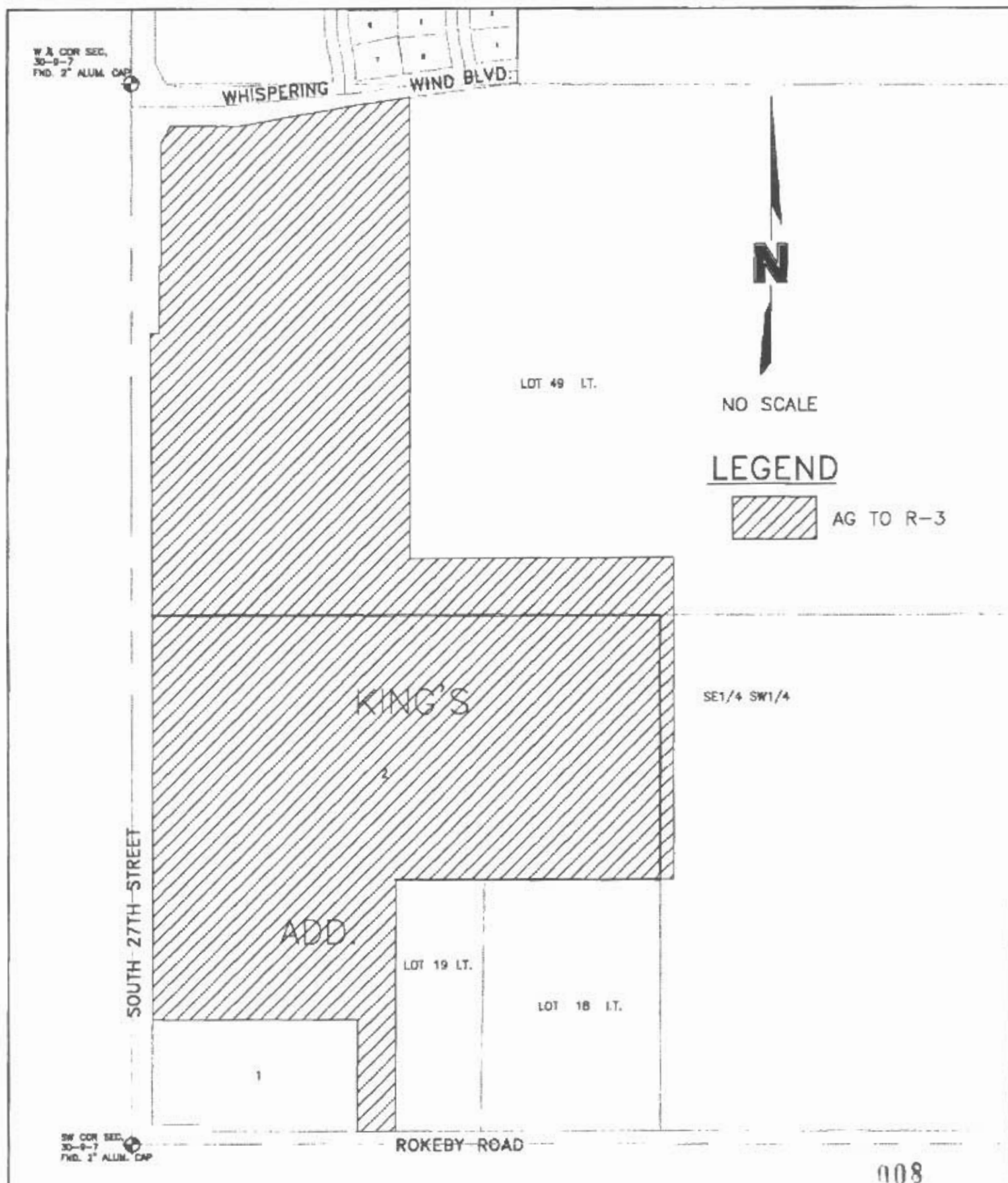
Change of Zone #06033 S 27th St & Rokeby Rd

Zoning:

- R-1 to R-4 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 30 T09N R07E





A TRACT OF LAND COMPOSED OF A PORTION OF LOT 49 IRREGULAR TRACT AND A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND ALL OF LOT 2, KING'S ADDITION, ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 2, KING'S ADDITION, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 27TH STREET; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF SOUTH 27TH STREET FOR THE FOLLOWING DESCRIBED COURSES, N00°00'11"W, A DISTANCE OF 330.05 FEET; THENCE N00°36'26"W, A DISTANCE OF 373.71 FEET; THENCE N89°59'13"E, A DISTANCE OF 24.20 FEET; THENCE N00°00'54"W, A DISTANCE OF 167.91 FEET; THENCE S89°49'09"E, A DISTANCE OF 5.00 FEET; THENCE N00°00'54"W, A DISTANCE OF 303.72 FEET; THENCE N28°25'25"E, A DISTANCE OF 42.00 FEET; THENCE N00°00'47"W, A DISTANCE OF 4.05 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WHISPERING WIND BOULEVARD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF WHISPERING WIND BOULEVARD FOR THE FOLLOWING DESCRIBED COURSES, S89°57'32"E, A DISTANCE OF 174.97 FEET; THENCE N80°07'47"E, A DISTANCE OF 303.80 FEET; THENCE N81°58'32"E, A DISTANCE OF 127.14 FEET; THENCE S00°02'02"W, A DISTANCE OF 1,147.73 FEET; THENCE S89°57'58"E, A DISTANCE OF 659.00 FEET; THENCE S00°02'02"W, A DISTANCE OF 803.33 FEET; THENCE N89°49'06"W, A DISTANCE OF 473.46 FEET; THENCE N89°46'02"W, A DISTANCE OF 220.04 FEET; THENCE S00°03'38"E, A DISTANCE OF 628.26 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ROKEBY ROAD; THENCE N89°46'17"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF ROKEBY ROAD, A DISTANCE OF 96.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, KING'S ADDITION; THENCE N00°02'08"W ALONG THE EAST LINE OF SAID LOT 1, KING'S ADDITION, A DISTANCE OF 276.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, KING'S ADDITION; THENCE N89°46'51"W ALONG THE NORTH LINE OF SAID LOT 1, KING'S ADDITION, A DISTANCE OF 513.87 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 27TH STREET SAID POINT ALSO BEING ON THE WEST LINE OF SAID LOT 2, KING'S ADDITION; THENCE N00°00'50"W ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,012.13 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS AN AREA OF 1,984,062 SQUARE FEET OR 45.55 ACRES, MORE OR LESS.

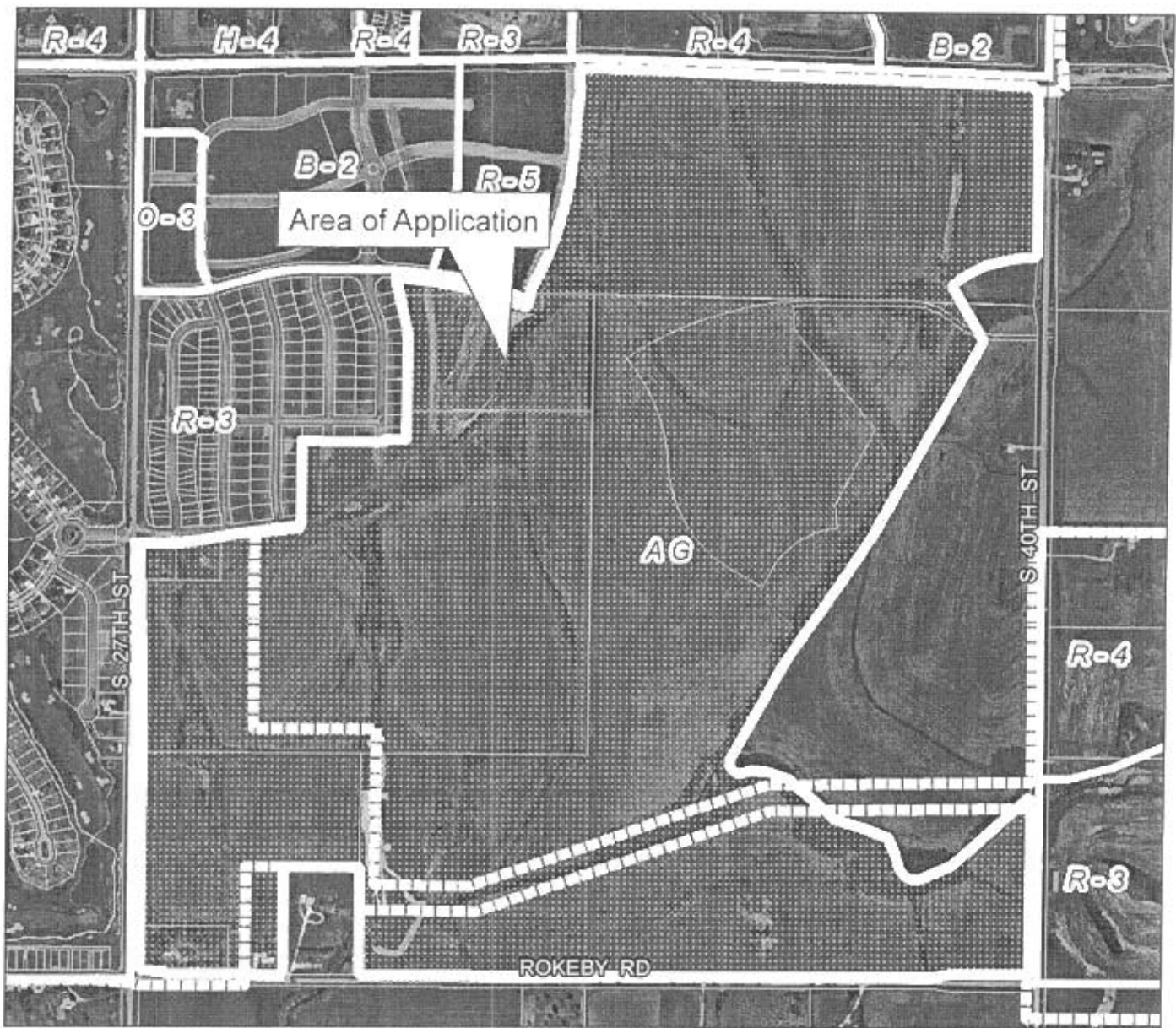
009



WILDERNESS HILLS 1ST ADDITION
CHANGE OF ZONE AG TO R-3
LINCOLN, NEBRASKA

Drawn By: NLP
Dwg.: COZ
Date: 05/24/06
Job#: 05-012

SHEET
2 OF 2



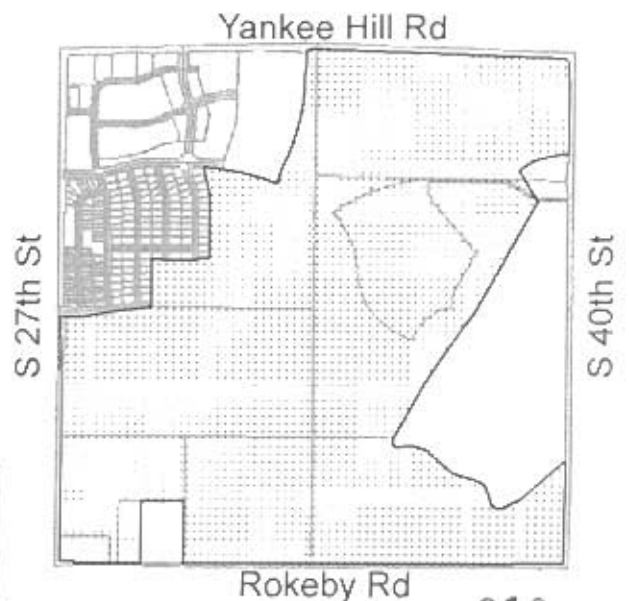
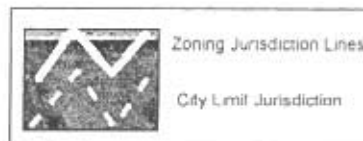
**Preliminary Plat #06004
Wilderness Hills 1st Addition
S 27th St & Rokeby Rd**

2005 aerial

Zoning:

R-1 to R-6	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-7	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
E-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 30 T09N R07E



RECEIVED

MAY 11 2006

CITY OF LINCOLN
PLANNING DEPARTMENT

N

NO SCALE



011



WILDERNESS HILLS 1ST ADDITION
EXHIBIT A: SITE PLAN

Lincoln, Nebraska

Drawn By: BMC
Dwg: CUP Site Plan
Date: 05/11/2006
Job#: 05-012

SHEET
1 OF 1